

Not surprisingly, nearly all of the revisionists who spoke generally oppose tax relief and support tax increases. The same crew generally support spending increases and oppose spending cuts.

On the first point, two of the three speakers from the other side voted for the conference report for fiscal year 2010 budget resolution. The third speaker was not a Member of this body at that time the conference report was adopted. I am not aware, however, of his opposition to that budget which was drawn up by the Senate Democratic Caucus.

That budget was similar to President Obama's first budget. A core portion of that budget, much ballyhooed by the Democratic leadership, was an extension of the major portion of the bipartisan tax relief enacted during the period of 2001–2006. As a matter of fact, roughly 80 percent of the revenue loss from that legislation, much criticized by the three speakers yesterday afternoon, is contained in the budget that two of them voted for. Eighty percent is usually a pretty fair endorsement of any policy. Again, I have not heard the third speaker, the junior Senator from Minnesota, indicate that he doesn't support the tax relief included in the Democratic budget. Perhaps I missed something. In addition, the three speakers need to pay attention to analyses from the nonpartisan Joint Committee on Taxation.

If they did examine those analyses, they would find that, in terms of the burden of taxation, the 2001 legislation redistributed the burden from lower income taxpayers to higher income taxpayers.

Now, I turn to the second fiscal revisionist history point. That point is that all of the "bad" fiscal history of this decade to date is attributable to the bipartisan tax relief plans.

In the debate so far, many on this side have pointed out some key, undeniable facts. We agree with the President on one key fact. The President inherited a big deficit and a lot of debt.

The antirecessionary spending, together with lower tax receipts, and the TARP activities has set a fiscal table of a deficit of \$1.2 trillion. That was on the President's desk when he took over the Oval Office on January 20, 2009. That is the highest deficit, as a percentage of the economy, in Post World War II history.

Not a pretty fiscal picture. And, as predicted several months ago, that fiscal picture got a lot uglier with the \$787 billion stimulus bill. So for the folks who saw that bill as an opportunity to "recover" America with government taking a larger share of the economy over the long term, I say congratulations.

For those who voted for the stimulus bill, including two of the three speakers to which I refer, they put us on the path to a bigger role for the government. Over a trillion dollars of new deficit spending was hidden in that bill.

The Congressional Budget Office concluded that the permanent fiscal impact of that bill totaled over \$2.5 trillion over 10 years. It caused some of the extra red ink. Supporters of that bill need to own up to the fiscal course they charted.

Now, to be sure, after the other side pushed through the stimulus bill and the second half of the \$700 billion of TARP money, CBO reestimated the baseline. A portion of this new red ink, upfront, is due to that reestimate.

The bottom line, however, is that reestimate occurred several weeks after the President and robust Democratic majorities took over the government. Decisions were made and the fiscal consequences followed.

Some on the other side who raises this point about the March CBO reestimate. That is fine. But, if they were to be consistent and intellectually honest, then they would have to acknowledge the CBO reestimate that occurred in 2001 after President Bush took office. The surplus went south because of economic conditions. The \$5.6 trillion number so often quoted by those on the other side was illusory.

The three members should go back and take a look at what CBO said at the time. According to CBO, for the first relevant fiscal year, the tax cut represented barely 14 percent of the total change in the budget. For instance, for the same period, increased appropriations outranked the tax cut by \$6 billion. So, spending above baseline, together with lower projected revenues, accounted for 86 percent of the change in the budget picture. Let me repeat that. Bipartisan tax relief was a minimal, 14-percent factor, in the change in the budget situation.

Over the long term, the tax cut was projected to account for 45 percent of the change in the budget picture. Stated another way, the 10-year surplus declined from \$5.6 trillion to \$1.6 trillion. Of that \$4.0 trillion change, the tax cut represented about \$1.7 trillion of the decline.

Let's take a look at the fiscal history before the financial meltdown hit. That conclusion is, again, in this decade, all fiscal problems are attributable to the widespread tax relief enacted in 2001, 2003, 2004, and 2006.

In 2001, President Bush came into office. He inherited an economy that was careening downhill. Investment started to go flat in 2000. The tech-fueled stock market bubble was bursting. Then came the economic shocks of the 9/11 terrorist attacks.

Add in the corporate scandals to that economic environment. And it is true, as fiscal year 2001 came to close, the projected surplus turned to a deficit. I referred to the net effects of some of these unforeseen events on the projected \$5.6 trillion surplus.

Now, yesterday afternoon's three speakers may so oppose bipartisan tax relief that they want to attribute all fiscal problems to the tax relief. The official scorekeepers show the facts to be different.

Those on this side of the aisle have a different view than the revisionists. In just the right time, the 2001 tax relief plan started to kick in. The fiscal facts show as the tax relief hits its full force in 2003, the deficits grew smaller. They grew smaller in amount. They grew smaller as a percentage of the economy. This pattern continued up through 2007.

If my comments were meant to be partisan shots, I could say this favorable fiscal path from 2003 to 2007 was the only period, aside from 6 months in 2001, where Republicans controlled the White House and the Congress.

But, unlike the fiscal history revisionists, I am not trying to make any partisan points. I am just trying to get to the fiscal facts.

So, let's get the fiscal history right.

In this decade, deficits went down after the tax relief plans were put in full effect. Deficits did start to trend back up after the financial meltdown hit. I doubt the fiscal history revisionists who spoke yesterday would say that bipartisan tax relief was the cause of the financial meltdown. So, aside from that unrelated bad macroeconomic development, the trend line showed revenues on the way back up.

But that is the past. We need to make sure we understand it. But what is most important is the future. People in our States send us here to deal with future policy. This budget debate should not be about Democrats flogging Republicans and vice-versa. The people don't send us here to flog one another, like partisan cartoon cut-out characters, over past policies. They don't send us here to endlessly point fingers of blame. Now, let's focus on the fiscal consequences of the budget that is before the Senate.

President Obama rightly focused us on the future with his eloquence during the campaign. I'd like to take a quote from the President's nomination acceptance speech:

We need a President who can face the threats of the future, not grasping at the ideas of the past.

President Obama was right.

We need a President, and I would add Congressmen and Senators, who can face the threats of the future. The legislation before us, as currently written, poses considerable threats to our fiscal future. It is too important to dodge. It is a bill that restructures one-sixth of the economy. It affects all of us and, more importantly, all of our constituents.

Grasping at ideas of the past or playing the partisan blame game will not deal with the threats to our fiscal future. Let's face the honest fiscal facts. Let's not revise fiscal history as we start this critical debate about the fiscal choices ahead of us. The people who send us here have a right to expect nothing less of us.

ORDER AUTHORIZING SIGNATURE

Mr. PRYOR. Mr. President, I ask unanimous consent that the majority

leader be authorized to sign any duly enrolled bill and joint resolution today, December 15.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST— H.R. 4154

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4154 just received from the House and at the desk; that the Baucus substitute amendment be considered and agreed to; the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating to the measure be printed in the RECORD, without further intervening action or debate.

Mr. President, I understand the Republican leader will object, so I will withdraw this request.

The PRESIDING OFFICER. Without objection, the request is withdrawn.

#### MORNING BUSINESS

Mr. PRYOR. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BOEING DREAMLINER

Ms. CANTWELL. Mr. President, I know we are in the middle of a health care debate and I know we are focused on health care and we will be talking about that for several days, but I rise to congratulate the people of Washington State and the country on the 787 Dreamliner flight that took off from Paine Field, WA, just a few hours ago. Some people might think of that as just going to YouTube and looking at the video and seeing a plane take off and what is the significance. I tell you, there is great significance, not just for the State of Washington but for the country because this plane is a unique plane. It is a game changer as far as the market is concerned. But it is American innovation at its best. This plane, built now with 50 percent composite materials, is going to be a 20-percent more fuel-efficient plane. That is significant for our country. It is significant because it means the United States can still be a leader in manufac-

turing and it can still deal with something as complex as fuel efficiency in aviation.

What is prideful for us as Americans is, this is about American innovation at its best. What would Bill Boeing say about today? He would say we achieved another milestone, where we faced international competition. Yet the United States can still be a manufacturer. We can still build a product, still compete, and still win because we are innovating with aviation.

To the thousands of workers in the Boeing Company and in Puget Sound I say: Congratulations for your hard work—for the planning and implementation of taking manufacturing from aerospace with aluminum that had been the status quo for decades, to developing an entirely new plane, 50 percent with the new material.

I want the United States to continue to be a manufacturer, to still build products, to still say we can compete. So I applaud the name Dreamliner. Somebody in that company had a dream, and today it got launched when it took off from that runway. I wish to say that is the innovative spirit that has made this country great and that is the innovative spirit in which we need to invest.

#### HUMAN RIGHTS ENFORCEMENT ACT

Mr. DURBIN. Mr. President, I rise today to speak in support of the Human Rights Enforcement Act of 2009, which the U.S. Senate approved unanimously on November 21, 2009, and which the House of Representatives will consider today. This narrowly tailored, bipartisan legislation would make it easier for the Justice Department to hold accountable human rights abusers who seek safe haven in our country.

I would like to thank the lead Republican cosponsor of the Human Rights Enforcement Act, Senator TOM COBURN of Oklahoma. This bill is a product of the Judiciary Committee's Subcommittee on Human Rights and the Law. I am the Chairman of this Subcommittee and Senator COBURN is its ranking member. I also want to thank Judiciary Committee Chairman PAT LEAHY of Vermont and Senator BEN CARDIN of Maryland for cosponsoring this bill.

For decades, the United States has led the fight for human rights around the world. Over 60 years ago, following the Holocaust, we led the efforts to prosecute Nazi perpetrators at the Nuremberg trials. We have also supported the prosecution of human rights crimes before the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone.

The world watches our efforts to hold accountable perpetrators of mass atrocities closely. When we bring human rights violators to justice, for-

eign governments are spurred into action, victims take heart, and future perpetrators think twice. However, when human rights violators are able to live freely in our country, America's credibility as a human rights leader is undermined.

Throughout our history, America has provided sanctuary to victims of persecution. Sadly, some refugees arrive from distant shores to begin a new life, only to encounter those who tortured them or killed their loved ones.

Two years ago, the Human Rights and the Law Subcommittee heard compelling testimony from Dr. Juan Romagoza, who endured a 22-day ordeal of torture at the hands of the National Guard in El Salvador. Dr. Romagoza received asylum in our country but later learned that two generals who were responsible for his torture had also fled to the United States. We also learned that our government was investigating over 1,000 suspected human rights violators from almost 90 countries who were in the United States.

The Human Rights and the Law Subcommittee has worked to ensure our government has the necessary authority and resources to bring perpetrators to justice and to vindicate the rights of people like Dr. Romagoza.

In the last Congress, the Subcommittee on Human Rights and the Law held hearings which identified loopholes in the law that hinder effective human rights enforcement. In order to close some of these loopholes and make it easier to prosecute human rights abuses, Senator COBURN and I introduced the Genocide Accountability Act, the Child Soldiers Accountability Act and the Trafficking in Persons Accountability Act, legislation passed unanimously by Congress and signed into law by President George W. Bush that denies safe haven in the United States to perpetrators of genocide, child soldier recruitment and use, and human trafficking.

We also examined the U.S. government agencies which bear responsibility for investigating human rights abusers and how to increase the likelihood that human rights violators will be held accountable.

There are two offices in the Justice Department's Criminal Division with jurisdiction over human rights violations. The first, the Office of Special Investigations, also known as OSI, which was established by Attorney General Richard Civiletti in 1979, has led the way in investigating, denaturalizing and removing World War II-era participants in genocide and other Nazi crimes. I want to commend OSI for its outstanding work tracking down and bringing to justice Nazi war criminals who have found safe haven in our country. Since 1979, OSI has successfully prosecuted 107 Nazis.

Just this year, OSI deported John Demjanjuk to Germany, where he is on trial for his involvement in the murder of more than 29,000 people at the Sobibor extermination camp in Nazi-